

News from Ed Markey

United States Congress

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FOR IMMEDIATE RELEASE

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May 22, 2003

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LAWMAKERS DECRY LOOPHOLE IN AMUSEMENT RIDE SAFETY OVERSIGHT

Legislation introduced as Families Flock to Parks on Memorial Day

Washington, DC: Rep. Edward Markey chose the unofficial kick-off of the roller-coaster riding season – Memorial Day weekend – to introduce ride safety legislation to close a loophole in the Consumer Product Safety Act that prevents investigations of accidents in theme parks by federal safety experts, and prevents safety upgrades by the Consumer Product Safety Commission (CPSC), and prevents the adoption of a national clearinghouse of safety information that could save lives. Theme park rides used to be subject to federal safety regulation by the CPSC, but in 1981 the industry succeeded in carving out a special-interest political exemption in the law – the so-called “Roller Coaster Loophole.”

“It is time to put the safety of our children first – it is time to close the Roller Coaster Loophole,” said Markey, who was joined by 9 colleagues in introducing the bill: Representatives George Miller, Bill Pascrell, Barney Frank, Frank Pallone, Richard Neal, Jan Schakowsky, Jim McGovern, Carolyn Maloney and John Tierney.

“Every other consumer product affecting interstate commerce – a bicycle or a baby carriage, for example – endures CPSC oversight,” Markey noted. “But the theme park industry acts as if its commercial success depends on remaining exempt from reasonable safety regulation. As a result, when a child is injured on a defective bicycle, the CPSC can prevent similar accidents by ensuring that the defect is repaired. If that same child has an accident on a faulty roller coaster, no CPSC investigation is allowed. That’s just plain wrong. Fifty-five fatalities have occurred on amusement park rides in the last 15 years, and over two-thirds occur on “fixed-site” rides in our theme parks.”

The industry has fought against safety oversight, claiming that it is safer than other industries. But Markey, relying on the National Safety Council’s method of comparing fatality rates per mile across industries, found that the number of fatalities per passenger mile on roller coasters is actually higher than on passenger trains, passenger buses, and passenger planes. Moreover, CPSC data indicates that amusement park injuries reported to hospital emergency rooms rose 96 percent since 1996.

“The industry has a good safety record,” said Markey, “but not a remarkable one. Many family tragedies can be prevented if this industry would simply accept the same level of safety oversight as the rest of America.”

The National Amusement Park Ride Safety Act would restore jurisdiction to the Consumer Product Safety Commission that was taken from it in 1981. This would allow the CPSC to :

1. Investigate accidents,
2. Develop and enforce action plans to correct defects, and
3. Act as a national clearinghouse for accident and defect data.

The bill is supported by the nation’s leading consumer-protection advocates, including Consumer’s Union, the Consumer Federation of America, the National SAFE KIDS Campaign, Saferparks.org, and the U.S. Public Interest Research Group. Moreover, the nation’s pediatricians – the doctors who treat the injuries suffered by children on amusement park rides – have endorsed our bill. According the American Academy of Pediatrics, “a first step to prevention of these injuries is adopting stronger safety regulations that allow for better inspection and oversight of the fixed-rides.”

The full statement of introduction can be found on www.house.gov/markey.

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